

REGULAR SELECTIVE INFORMATION FLOW

for the attention of the National Human Rights Structures

Issue#135

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Information **selected** by the « Versailles St-Quentin Institutions Publiques » research centre (Versailles St-Quentin-en-Yvelines University, France), under the responsibility of the Directorate of Human Rights (DG I) of the Council of Europe
For any queries, please contact: eugen.cibotaru@coe.int

Introduction

This Issue is part of the "Regular Selective Information Flow" (RSIF). Its purpose is to keep the National Human Rights Structures permanently updated of Council of Europe norms and activities by way of regular transfer of information, which the Directorate of Human Rights carefully selects and tries to present in a user-friendly manner. The information is sent to the Contact Persons in the NHRs who are kindly asked to dispatch it within their offices.

Each Issue covers one month and is sent by the Directorate of Human Rights (DG I) to the Contact Persons a fortnight after the end of each observation period. This means that all information contained in any given issue is between four to eight weeks old.

The selection of the information included in the Issues is made by the "Versailles-St-Quentin Institutions Publiques" research centre (VIP – University of Versailles-St-Quentin-en-Yvelines, France) under the responsibility of the Directorate of Human Rights. It is based on what is deemed relevant to the work of the NHRs (including Ombudsman Institutions, National Human Rights Commissions and Institutes, Anti-discrimination Bodies). A particular effort is made to render the selection as targeted and short as possible. Readers are expressly encouraged to give any feedback that may allow for the improvement of the format and the contents of this tool.

The preparation of the RSIF has been supported as from 2013 by the "Versailles St-Quentin Institutions Publiques" research centre of the University of Versailles St-Quentin-en-Yvelines (Paris Saclay). It is entrusted to Valentine Decoen, Léa Guémené, Camille Joly, Pavlos Aimilios Marinatos, Quentin Michael, Clara Michel, Guillaume Verdier and Manon Wagner under the supervision of Laure Clément-Wilz, Ph.D, European Law Associate Professor.

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PartOne

GENERAL INFORMATION

This part presents a selection of information of general importance for the National Human Rights Structures.

This information was issued during the period under observation (1-30 November 2015) by the European Court of Human Rights, the European Committee of Social Rights, the Committee of Ministers, the Parliamentary Assembly and other Council of Europe monitoring mechanisms.

PartOne

§1 - EUROPEAN COURT OF HUMAN RIGHTS

A. Judgments

1. Judgments deemed of particular interest to the NHRs

The judgments presented under this heading are the ones for which a separate press release is issued by the Registry of the Court as well as other judgments considered relevant for the work of the NHRs. They correspond also to the themes addressed in the Peer-to-Peer Workshops. The judgments are thematically grouped. The information, except for the comments drafted by the Directorate of Human Rights, is based on the [press releases of the Registry of the Court](#).

Some judgments are only available in French.

Please note that the Chamber judgments referred to hereunder become final in the circumstances set out in Article 44 § 2 of the Convention: “a) when the parties declare that they will not request that the case be referred to the Grand Chamber; or b) three months after the date of the judgment, if reference of the case to the Grand Chamber has not been requested; or c) when the panel of the Grand Chamber rejects the request to refer under Article 43”.

Note on the Importance Level:

According to the explanation available on the Court’s website, the following importance levels are given by the Court:

1 = High importance, Judgments, which the Court considers, make a significant contribution to the development, clarification or modification of its case law, either generally or in relation to a particular state.

2 = Medium importance, Judgments, which do not make a significant contribution to the case law but nevertheless do not merely apply existing case law.

3 = Low importance, Judgments with little legal interest - those applying existing case-law, friendly settlements and striking out judgments (unless these have any particular point of interest).

Each judgment presented in section 1 and 2 is accompanied by the indication of the importance level.

- **Right to life (Art. 2)**

ÖZEL AND OTHERS V. TURKEY — [\(IN FRENCH ONLY\)](#) — Nos. 14350/05, 15245/05 AND 16051/05 — Importance 2 — 17 November 2015 — Violation of Article 2 — Domestic authorities’ failure to ensure prompt proceedings to establish responsibilities for death of earthquake victims

The applicants’ family members had been killed during an earthquake as they had been trapped under buildings that collapsed. They prosecuted the company which built the buildings because the materials used were deficient. Two accused were convicted but the action against two others was time-barred. The applicants could not bring a proceeding against civil servants because there was no administrative authorisation.

The Court noted that the earthquake happened in a "major risk zone": it was the domestic authorities’ responsibility to try and prevent risks related to the effects of an earthquake. Nevertheless the

complaint on this point was out of time. The Court also observed the proceedings lasted more than 12 years. The Court considered the domestic authorities, by not ensuring prompt proceedings, gave the impression that they tolerated illegal acts. The Court thus found there had been a violation of Article 2.

Article 41 (just satisfaction)

The Court held that Turkey was to pay, in respect of non-pecuniary damage, EUR 30,000 jointly to two applicants, EUR 30,000 jointly to two others, EUR 30,000 jointly to two others, EUR 30,000 each to two others, and finally for costs and expenses EUR 4,000 each to two applicants.

- **III-treatment / Conditions of detention / Deportation (Art. 3)**

BAMOUHAMMAD V. BELGIUM — (IN FRENCH ONLY) — No. 47687/13 — Importance 2 — 17 November 2015 — Violation of Article 3 — Domestic authorities' failure to ensure humane conditions of detention — Violation of Article 13 — Domestic authorities' liability for transfers depriving the applicant of an effective remedy

The applicant is a prisoner who suffered from Ganser syndrome due to his detention. A psychiatrist explained his syndrome with the special measures and the frequent transfers. He was submitted to dozens of transfers, full-body searches, confinement, systematic wearing of handcuffs during more than eight years. He brought several proceedings against domestic authorities to complain about his conditions of detention but was dismissed. Domestic authorities also refused any sentence adjustment. The applicant lodged a complaint before the Court.

Article 3

The Court took into consideration the fact that the domestic authorities had to balance security imperatives with humane conditions of detention. Nevertheless, The Court found that the different transfers were not necessary and had consequences over his mental health. Moreover he was not provided with the psychological care he needed. Finally, despite medical report advocating for alternative arrangements, domestic authorities refused to improve his situation.

The Court considered that the applicant suffered disproportionately from his detention, which could be regarded as a degrading treatment. The Court then held there had been a violation of Article 3.

Article 13

The Court noted that because of the numerous transfers, the applicant was deprived of his right to an effective remedy, as his proceedings had often become without object. The Court thus found there had been a violation of Article 13.

Article 46

The Court recommended that domestic authorities adopt general measures such as the introduction of a remedy adapted to the situation of prisoners who were subjected to transfers and to special measures such as those imposed on the applicant.

Article 41 (just satisfaction)

The Court held that Belgium was to pay the applicant EUR 12,000 in respect of non pecuniary damage and EUR 30,000 in respect of costs and expenses.

- **Right to a fair trial (Art. 6)**

HENRIOUD V. FRANCE — [\(IN FRENCH ONLY\)](#) — No. 21444/11 — Importance 3 — 5 November 2015 — Violation of Article 6§1 — Domestic authorities’ failure to balance proceedings rules with the best interests’ of the child — No violation of Article 8 — Domestic authorities’ proportionate appreciation of the legal grounds

The applicant’s wife had settled in another country with their child while she was forbidden to do so. After she had left, the injunction prohibiting her from taking the child out of the applicant’s country was cancelled. The applicant had appealed against this cancellation. The applicant brought a proceeding before the domestic court of his wife’s country but was dismissed on formal grounds. The applicant had not mentioned in front of the domestic courts his appeal against the cancellation of the injunction prohibiting the mother from leaving the county and the domestic courts considered he had tacitly accepted this order.

Article 6§1

The Court observed the appeal had been declared inadmissible on the ground of non-compliance with a formality, as a document had not been transmitted in time. The Court noted that this admissibility criterion was no longer in force. Moreover, the public prosecutor also had to transmit this document, so the applicant could have legitimately thought the prosecutor had complied with the requisite conditions. Finally, the prosecutor, noticing the transmission had been made late, asked for an unusual tolerance, in the light of the importance of the case for the protection of the child’s best interests, but the domestic court refused.

The Court held the domestic court had been excessively formalistic and there had thus been a violation of Article 6§1.

Article 8

The Court noted that the complaint was assessed under Article 6§1. As the applicant had not informed the domestic courts of his appeal of the decision to cancel the prohibition on the mother leaving the country, the domestic courts could not be aware of this appeal. So the Court considered there had been no violation of Article 8.

Article 41 (just satisfaction)

The Court held that France was to pay EUR 12,000 in respect of pecuniary damage and EUR 3,085 in respect of costs and expenses.

[SAKIT ZAHIDOV V. AZERBAIJAN](#) (No. 51164/07) - Importance 2 - 12 November 2015 - Violation of Article 6 - Domestic courts’ failure to ensure fair criminal proceedings to the applicant

The case concerned the applicant’s allegation that he had been convicted of a drugs offence on the basis of planted evidence by police officers after his arrest.

The Court had to examine whether the proceedings as a whole, including the way in which evidence had been obtained, had been fair.

The Court noted in particular: the 20 minutes’ lapse of time between the arrest and search, which raised legitimate concerns about the possible “planting” of evidence as the applicant had been under the control of officers during this time; and the courts’ failure to examine a copy of the video-recording of the applicant’s body search, despite his explicit request. As a consequence, the Court considered that the manner in which physical evidence had been obtained, on which the domestic courts subsequently based their opinion, had been questionable. Furthermore, the applicant had not been given the opportunity to challenge the authenticity of that evidence and its use against him in the domestic proceedings. Despite the applicant’s complaints, the domestic courts had remained silent on the use of this evidence and in particular they had failed to examine why the search had not taken place immediately or whether it had been conducted in accordance with procedural requirements.

The Court therefore concluded that the proceedings against the applicant had, as whole, been unfair, in violation of Article 6 of the Convention.

Article 41 (just satisfaction)

The Court held that Azerbaijan was to pay the applicant EUR 9,000 euros in respect of non pecuniary damage and EUR 3,048 in respect of costs and expenses.

MIKHAYLOVA V. RUSSIA — (No. 46998/08) — Importance 2 — 19 November 2015 — Violations of Article 6§1 and 6§3 — Domestic authorities' failure to ensure access to a free legal assistance

The applicant took part into a march. She was accused of administrative offenses for failing to comply with a police order and for taking part in an unlawful public gathering. She asked for free legal assistance but was dismissed. Domestic law considered providing legal assistance was not compulsory concerning administrative offenses.

The Court assimilated the administrative offenses in question to criminal offenses provided for by Article 6. The Court re-affirmed the importance of the right to a fair trial, which imply free legal assistance. Free legal assistance is subject to two conditions: lack of means and the "interests of justice".

The Court supposed the applicant would satisfy any means test. Concerning the "interests of justice", the Court considered free legal assistance should be granted, because the applicant risked a fine, detention and because two fundamental freedoms: freedom of expression and freedom of peaceful assembly.

Therefore, the Court found there had been a violation of Article 6§1 and 6§3.

Article 41 (just satisfaction)

The Court held that Russia was to pay the applicant EUR 1,500 in respect of non-pecuniary damage and EUR 128 in respect of costs and expenses.

- **Right to respect for private and family life (Art. 8)**

BONDAVALLI V. ITALY — (IN FRENCH ONLY) — No. 35532/12 — Importance 3 — 17 November 2015 — Violation of Article 8 — Domestic authorities' liability for a biased appreciation of the case, not taking into account the best interests of the child

The applicant is a father separated from his son's mother. He was granted a right of contact. He later informed the domestic authorities that he suspected the mother of ill-treatments. The social services considered on the contrary that the applicant was in a state of agitation and stress close to paranoia and decided, in order to protect the child, to organise contact in the form of supervised meetings. The applicant complained the expert was a former colleague of his son's mother. He also noted his son's mother worked in the same administrative entity than the social services. He had reports made to assert he was sane but they were rejected by the domestic court. The applicant lodged a complaint before the Court.

The Court noted the applicant could only exercise a limited right of contact. The Court observed the different reports led by the social services were biased due to their links with the child's mother. The Court considered that the domestic court, when examining the applicant's right of contact, had not taken into account the best interest of the child.

The Court held domestic authorities had breached the applicant's right to respect for his family life and there had thus been a violation of Article 8.

Article 41 (just satisfaction)

The Court held that Italy was to pay the applicant EUR 10,000 in respect of non-pecuniary damage and EUR 15,000 in respect of costs and expenses.

- **Freedom of thought, conscience and religion (Art. 9)**

EBRAHIMIAN V. FRANCE ([In French only](#)) (No. 64846/11) - Importance 2 - 26 November 2015 - No violation of Article 9 - No failure of Domestic authorities to strike a fair balance between public officials' freedom of conscience and State neutrality

The case concerned the decision not to renew the contract of employment of a hospital social worker because of her refusal to stop wearing the Muslim veil. Moreover, owing to her refusal to comply with that obligation, and irrespective of her professional qualities, disciplinary proceedings had been instituted against her.

The Court first considered that the wearing of the veil was a manifestation of a sincere religious belief protected by Article 9 of the Convention. It admitted that the impugned decision had constituted an interference with the applicant's right to freedom of manifest her religion.

The Court observed that the interference had a strong legal basis in domestic law, namely the first Article of the domestic Constitution. It also noted that according to the domestic courts' case law, the requirement that public officials observe religious neutrality in discharging their functions had been foreseeable and accessible. The Court also accepted that the interference in question had pursued the legitimate aim of protecting the rights and freedoms of others.

With regard to the question whether the interference was necessary in a democratic society for the protection of the rights and freedoms of others, the Court found that the requirement of neutrality of public officials could be regarded as justified in principle: the State, as employer of the applicant in a public hospital, could consider it necessary that she refrain from expressing her religious beliefs in discharging her functions in order to guarantee equality of treatment of patients. Turning next to an examination of the proportionality of that prohibition in relation to the aim pursued, the Court reiterated that while public officials enjoyed total freedom of conscience, they were prohibited from manifesting their religious beliefs in discharging their functions. Such a restriction derived from the principle of neutrality of public services.

The Court concluded that the interference with the exercise of her freedom to manifest her religion had been necessary in a democratic society and that there had been no violation of Article 9 of the Convention.

- **Freedom of expression (Art. 10)**

[COUDERC AND HACHETTE FILIPACCHI ASSOCIÉS V. FRANCE](#) (No. 40454/07) - Importance 1 - 10 November 2015 - Violation of Article 10 - Domestic courts' failure to strike a fair balance between Prince Albert's right for private life and right to freedom of expression

The case concerned a court ruling against the weekly magazine Paris Match for having published information about Prince Albert of Monaco's private life. Indeed, in spite of the Prince's notice to refrain, Paris Match published an interview in which a woman, Ms Coste, claimed that Prince Albert was the father of her child. The article provided details about the circumstances in which the woman met the Prince, their intimate relationship, his reaction to the news of her pregnancy and the manner in which he behaved with the child. It was illustrated by photographs of the Prince holding the child or accompanied by Ms Coste, in both private and public contexts. Domestic courts concluded that the publication had not concerned any debate of general interest and that it had caused Prince Albert

irreversible damage, in that the fact of his paternity had suddenly, and against his will, become public knowledge.

The Court had to examine whether the domestic courts' decisions, contested by the applicants, had struck a fair balance between the rights at stake. It first held there was little scope under Article 10 § 2 of the Convention for restrictions on freedom of expression when a matter of public interest was at stake. The Court considered that it was necessary to assess the article as a whole in order to determine whether the content of the interview disclosing the Prince's fatherhood could be understood as constituting information on a question of public interest. The Court accepted that the interview with Ms Coste contained numerous details about Prince Albert's private life and his real or supposed feelings, which were not directly related to a debate of public interest. Nonetheless, there was no doubt that the publication, taken as a whole and in context, also concerned a matter of public interest. Indeed, the Court found that birth does not come solely within the private sphere of the persons concerned by it, but also falls within the public sphere, since it is in principle accompanied by a public statement (the civil-status document) and the establishment of a legal parent-child relationship.

Having regard to the specific features of the Principality of Monaco, the Court considered that there was an undeniable public-interest value – at least for the subjects of the Principality – in the fact that Prince Albert had a male child. Among other points, the question of legitimation by marriage could be raised, even if such an outcome was improbable. The Court concluded that in the present case, the contested information was not without political importance, and could arouse the interest of the public with regard to the rules of succession in force in the Principality. Moreover, the veracity of Ms Coste's statements with regard to the Prince's paternity has not been contested by Prince Albert, who himself publicly acknowledged it shortly after the article in question had been published. In this connection, the Court reiterated the essential nature of the veracity of the disseminated information: respect for this principle was fundamental to the protection of the reputation of others.

The Court considered that, in order to ensure a fair balancing of the interests at stake, the domestic courts ought to have taken into account the potential impact of the Prince's status as Head of State, and to have attempted, in that context, to determine the parts of the contested article that belonged to the strictly private domain and what could fall within the public sphere.

The Court concluded that there had been a violation of Article 10.

Article 41 (just satisfaction)

As the applicants had not quantified their claims in respect of the damage sustained, nor provided supporting documents, the Court could not allow their claim for compensation. The Court held that France was to pay the applicants EUR 15,000 in respect of costs and expenses.

BIDART V. FRANCE ([In French only](#)) (No. 52363/11) - Importance 2 - 12 November 2015 - No violation of Article 10 - Justified restrictions on freedom of expression imposed on a convicted former leader of Basque separatist organisation

The case concerned the obligation imposed on the applicant, a former leader of a Basque separatist organisation, who received a number of convictions, in particular for conspiracy to commit a terrorist attack, premeditated murder in connection with terrorist activity and armed robbery. Indeed, in the context of his release on licence, to refrain from disseminating any work or audio-visual production authored or co-authored by him concerning the offences of which he had been convicted, and from speaking publicly about those offences.

The Court first found that the obligations imposed on the applicant had constituted a restriction of his freedom of expression within the meaning of Article 10 of the Convention.

The Court first noticed that domestic judge had based his decision of restrictions on hypothetical rather than actual remarks or writings of the applicant. The Court also found it regrettable that he had not weighed up the interests at stake and had not fully established the existence of the risk to public order.

Nevertheless, the Court found that the applicant had the right to appeal against this decision, including on points of law. He had therefore been able to have the measure reviewed by the courts and had enjoyed genuine guarantees against abuse. The Court also noted that the measures available to the judge in that context were limited in three respects. They were limited in respect of the individuals on whom such measures could be imposed (only those individuals who had been convicted of certain specific major offences), but were also limited in time (until the end of the period of release on licence) and in terms of subject matter (only affecting freedom to talk about the offences committed). The applicant had thus still been able to express his views on the Basque question, as long as he did not mention the offences of which he had been convicted.

All those factors led the Court to acknowledge that the domestic courts had not overstepped their margin of appreciation.

Accordingly, there had been no violation of Article 10 of the Convention.

ANNEN V. GERMANY (No. 3690/10) - Importance 2 - 26 November 2015 - Violation of Article 10 - Domestic courts' failure to strike a fair balance between the applicant's right to denounce abortion and two doctor's personality rights.

The case concerned a civil injunction issued by the domestic courts, which prohibited an activist from distributing anti-abortion leaflets in the vicinity of a day clinic which performed abortions, and from listing on his website the names of two doctors running the clinic.

The Court first considered that the civil injunction issued by domestic courts amounted to an "interference" with the applicant's right to freedom of expression. It should therefore be determined whether it was "prescribed by law", whether it pursued one or more of the legitimate aims set out in that paragraph and whether it was "necessary in a democratic society" in order to achieve those aims.

The Court first found that the interference was prescribed by the domestic Civil Code and that it was designed to protect "the reputation or rights of others", namely the reputation and personality rights of the two doctors. As to the third requirement, the Court decided to examine separately the two prohibited acts.

As regards the order to stop distributing the leaflets in the vicinity of the clinic, the domestic courts had found that the leaflets erroneously gave the impression that the clinic performed abortions outside the law. Moreover, they had found that the applicant had singled out the two doctors in severely criticising them in the leaflets, which was aggravated by the reference to the Holocaust. The Court first held that the applicant's further explanation, according to which the abortions were not subject to criminal liability, was sufficiently clear. Furthermore, the Court noted that the applicant, in singling out the two doctors, had used this means of presenting his arguments in a personalised manner to enhance the effectiveness of his campaign, which undoubtedly contributed to a highly controversial debate of public interest. As to the reference to concentration camps and the Holocaust, the Court could not agree with domestic courts' interpretation that the applicant had compared the doctors and their professional activities to the Nazi regime. Instead, his statement might also be understood as a way of creating

awareness of the more general fact that law might diverge from morality. The Court came to the conclusion that the domestic courts had failed to strike a fair balance between the applicant's right to freedom of expression and the doctor's personality rights. There had accordingly been a violation of Article 10 on that account.

As regards the order for the applicant to stop listing on his website the names of the doctors running the clinic, the Court noted that domestic courts had limited themselves to finding that the same principles which had been elaborated with regard to the leaflet should also apply to the website. The Court considered that by not examining any specific elements of the website, the domestic courts had failed to apply standards which were in conformity with the procedural requirements of Article 10. There had accordingly been a violation of Article 10 also on that account.

Article 41 (Just satisfaction)

The Court rejected the applicant's claim for non-pecuniary damage. It further held that Germany was to pay him EUR 13,696.87 in respect of costs and expenses.

2. Other judgments issues in the period under observation

You will find in the column "Key Words" of the table below a short description of the topics dealt with in the judgment.

For more detailed information, please refer to the cases.

STATE	DATE	CASE TITLE	IMP.	CONCLUSION	KEY WORDS
ARMENIA	10 November 2015	SAHAKYAN (No. 66256/11)	3	Violation of Art. 5 § 5	Lack of an enforceable right to compensation under domestic law
AZERBAIJAN	5 November 2015	YAGUBLU (No. 31709/13)	3	Violation of Art. 5 § 1 (c)	Applicant's detention in the absence of a reasonable suspicion that he had committed a criminal offence
BOSNIA AND HERZEGOVINA	3 November 2015	HADZIMEJLIC AND OTHERS (Nos. 3427/13, 74569/13 AND 7157/14)	2	Violation of Art. 5 § 1	Unlawful detention of the applicants in a social care home
BULGARIA	3 November 2015	MYUMYUN (No. 67258/13)	2	Violation of Art. 3 (procedural)	Inadequate domestic legal system's response to the ill-treatment to which the applicant had been subjected with regard to the leniency of the penalties imposed on the police officers which did not correspond to the seriousness of their act

BULGARIA (CONTINUED)	10 November 2015	SLANOV AND OTHERS (<u>IN FRENCH ONLY</u>) (No. 58500/10)	2	Violation of Art. 3 (substantive)	Degrading treatment of the applicants on account of the police operation at their home which had not been planned and carried out in a way to ensure that the means employed were limited to those strictly necessary
				Violation of Art. 6 § 2	Breach of the applicant's right of presumed innocence on account of the statements made by the domestic minister of the interior
				Violation of Art. 6 § 2	Breach of the applicant's right of presumed innocence on account of the reasoning for the decision by the domestic court
				No violation of Art. 6 § 2	No infringement of the applicant's right of presumed innocence on account of the statements made by the domestic regional prosecutor
				Violation of Art. 8	Absence of sufficient guarantees under domestic law against arbitrariness as the search had been conducted without a judicial warrant and without a judicial review of the legality and necessity of the measure
				Violation of Art. 13 taken together with Art. 3 and 8	Lack of an effective domestic remedy concerning the violations under Art. 3 and 8

BULGARIA (CONTINUED)	17 November 2015	DIMITROV AND RIBOV (No. 34846/08) RADEV (No. 37994/09)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (applicants' isolation, lack of meaningful activities, poor hygiene, poor state of cells and other prison premises)
				Violation of Art. 13 (in the first case)	Lack of an effective domestic remedy concerning the inadequate conditions of detention
CROATIA	24 November 2015	NENAD KOVACEVIC (No. 38415/13)	3	No violation of Art. 5 § 3	Relevant and sufficient grounds provided in order to justify the applicant's continued detention as a substantial risk of absconding persisted throughout his detention while alternative measures would not have been appropriate in this case
CZECH REPUBLIC	26 November 2015	REGNER (IN FRENCH ONLY) (No. 35289/11)	2	No violation of Art. 6 § 1	Fairness of proceedings as the decision-making procedure satisfied as possible the requirements to provide adversarial proceedings and incorporate adequate safeguards in order to protect the applicant's interests
GREECE	5 November 2015	A.Y. (IN FRENCH ONLY) (No. 58399/11)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding)
				Violation of Art. 13 taken together with Art. 3	Lack of an effective domestic remedy at the material time
				No violation of Art. 5 § 1	Lawful detention pending expulsion of the applicant
				No violation of Art. 5 § 4	Effective judicial review of the applicant's detention pending expulsion

GREECE (CONTINUED)	12 November 2015	FILIPPOPOULOS (IN FRENCH ONLY) (No. 41800/13)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding, lack of ventilation and inmate privacy in toilets)
				Violation of Art. 13	Lack of an effective domestic remedy concerning the applicant's complaint of inadequate conditions of detention
ITALY	17 November 2015	PREITE (IN FRENCH ONLY) (No. 28976/05)	3	Violation of Art. 1 of Prot. No. 1	Disproportionate and unjustified interference with the applicant's right to enjoyment of his possessions on account of the inadequate compensation awarded to him for the expropriated land
LATVIA	3 November	MIKELSONS (No. 46413/10)	3	No violation of Art. 5 § 1	Lawfulness of the applicant's detention
				Violation of Art. 5 § 4	Applicant's inability to have access to the case file prevented him from effectively challenging his pre-trial detention
LITHUANIA	24 November 2015	NOREIKIENE AND NOREIKA (No. 17285/08) TUNAITIS (No. 42927/08)	3	Violation of Art. 1 of Prot. No. 1 (in both cases)	Disproportionate and unjustified interference with the applicants' right to enjoyment of their possessions on account of the inadequate compensation awarded to them for the expropriated land
		PALIUTIS (No. 34085/09)	3	Violation of Art. 6 § 1	Unfairness of proceedings on account of the dismissal of the applicant's request by the domestic Supreme Administrative Court without providing a sufficient explanation

LITHUANIA (CONTINUED)	24 November 2015	PAUKSTIS (No. 17467/07)	3	Violation of Art. 1 of Prot. No. 1	Breach of the applicant's rights on account of the domestic authorities' decision to grant the plot to a third party and the failure to provide adequate compensation
				No violation of Art. 1 of Prot. No. 1	No breach of the applicant's rights on account of the fact that the applicant was not given back the remaining part of his father's land as the exact piece of land was already occupied or offered compensation given that the applicant had failed to choose the means of restitution; the overall delay in finalising the restitution process was mainly imputable to the applicant
MALTA	26 November 2015	MAHAMED JAMA (10290/13)	3	No violation of Art. 3 (substantive)	The lack of access to outdoor exercise as well as the lack of heating and of female staff at the material time did not reach the threshold of severity required under Art. 3
				Violation of Art. 5 § 4	Lack of an effective and prompt remedy under domestic law by which it would have been possible for the applicant to challenge the lawfulness of her detention
				No violation of Art. 5 § 1	Lawfulness of applicant's detention
				Violation of Art. 5 § 1	Unlawful detention of the applicant following the determination of her asylum claim
MONTENEGRO	24 November 2015	SINISTAJ AND OTHERS (Nos. 1451/10, 7260/10 AND 7382/10)	3	Violation of Art. 3 (substantive and procedural)	Ill-treatment of the applicants while in police custody and ineffective investigation in that respect

POLAND	3 November 2015	BESTRY (No. 57675/10)	2	No violation of Art. 10	Proportionate interference with the applicant's right to freedom of expression as his defamatory statements had infringed the personal rights of a journalist and a publishing company
		CHYŁA (No. 8384/08)	3	Violation of Art. 3 (substantive)	The prolonged imposition of dangerous detainee regime on the applicant and the severity of the measures taken exceeded the legitimate requirements of security in prison
				Violation of Art. 5 § 3	Excessive length of applicant's detention (3 years and 1 month)
				Violation of Art. 6 § 1	Excessive length of criminal proceedings (8 years and 8 months)
		OLSZEWSKY (No. 99/12)	3	No violation of Art. 2 (substantive)	Domestic authorities' inability to foresee, in the absence of an objective reason, that the applicants' son's life or health was under any risk
				Violation of Art. 2 (procedural)	Domestic authorities' failure to conduct an effective investigation into the circumstances of the applicants' son's death
		STANKIEWICZ AND OTHERS (2) (No. 48053/11)	2	Violation of Art. 10	Domestic judicial authorities' failure to carry out a sufficiently careful balancing exercise between the right to impart information of a matter of great public interest and the protection of the reputation or rights of others

PORTUGAL	5 November 2015	QING (No. 69861/11)	2	No violation of Art. 5 § 1 (c)	Lawfulness of the applicant's initial arrest and detention
				Violation of Art. 5 § 3	Extension of applicant's pre-trial detention on insufficient grounds
				No violation of Art. 14 taken in conjunction with Art. 5 § 1 (c)	Absence of evidence suggesting that the applicant was discriminated on account of her nationality while in pre-trial detention
ROMANIA	3 November 2015	THE SISESTI GREEK-CATHOLIC PARISH (IN FRENCH ONLY) (No. 32419/04)	3	Violation of Art. 6 § 1	Excessive length of restitution proceedings (7 years and 7 months)
	24 November 2015	ALEXANDRESCU AND OTHERS (No. 56842/08)	3	Violation of Art. 6 § 1	Excessive length of criminal proceedings
	24 November 2015	VERDES (No. 6215/14)	3	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding, unsatisfactory hygiene conditions)
RUSSIA	5 November 2015	BUZURTANOVA AND ZARKHMATOVA (No. 78633/12)	3	No violation of Art. 2 (substantive)	Absence of sufficient evidence suggesting that state agents were implicated in the disappearance of the applicants' relative
				Violation of Art. 2 (procedural)	Domestic authorities' failure to carry out an effective criminal investigation into the circumstances surrounding the disappearance of the applicants' relative

RUSSIA (CONTINUED)	5 November 2015	CHUKAYEV (No. 36814/06)	2	Violation of Art. 3 (substantive)	Poor conditions of detention (overcrowding)	
				No violation of Art. 6 §§ 1 and 3 (c)	No restriction of the applicant's right to counsel upon arrest while the absence of a lawyer at the time of the applicant's arrest did not prejudice the overall fairness of the proceedings	
				No violation of Art. 6 §§1 and 3 (c)	The applicant did not submit any financial or other documents to support his claim for exemption of legal fees while given the amount, it does not appear that the reimbursement order had adversely affected the overall fairness of the proceedings	
				No violation of Art. 6 §§1 and 3 (d)	Fairness of proceedings despite the absence of a witness given that the applicant's conviction had not been based solely or to a decisive manner on the pre- trial statement of that witness	
					Violation of Art. 8	Opening of the applicant's correspondence with the Court
			NAGMETOV (No. 35589/08)	2	Violation of Art. 2 (substantive)	Unlawful use of police lethal force which resulted in the death of the applicant's son
					Violation of Art. 2 (procedural)	Domestic authorities' failure to exhaust all reasonable and practicable measures in order to identify the person responsible for the death of the applicant's son

RUSSIA (CONTINUED)	12 November 2015	BIMURADOVA (No. 3769/11)	3	No violation of Art. 2 (substantive)	Absence of sufficient evidentiary basis suggesting that state agents were involved in the disappearance of the applicant's brother
				Violation of Art. 2 (procedural)	Domestic authorities failure to carry out an effective criminal investigation into the circumstances of the disappearance of the applicant's brother
				No violation of Art. 3	In the absence of the state's accountability for the disappearance of the applicant's brother the Court was unable to find that the situation gave rise to a violation of Art. 3
				No violation of Art. 5	In the absence of the state's accountability for the disappearance of the applicant's brother the Court was unable to find that the situation gave rise to a violation of Art. 5
		BUTKO (No. 32036/10) MOROZOV (No. 38758/05)	3	Violation of Art. 13 (in both cases)	Lack of an effective domestic remedy concerning the inadequate conditions of the applicants' detention
				Violation of Art. 3 (substantive) (in both cases)	Poor conditions of detention (overcrowding, lack of purposeful activities, inadequate state of sanitary installations)

RUSSIA (CONTINUED)	12 November 2015	<u>KORKIN</u> (No. 48416/09)	3	Violation of Art. 3 (substantive)	Poor conditions of the applicant's transport to and from the court-house in overcrowded prison vans
				Violation of Art. 5 § 1	Unlawful detention of the applicant (absence of legal basis)
				Violation of Art. 5 § 3	Excessive length of applicant's pre-trial detention (4 years) on insufficient grounds and without considering alternative preventive measures
				No violation of Art. 6 § 1	Reasonable length of proceedings given the complexity of the case (4 and a half years)
		<u>MEREZHNIKOV</u> (<u>IN FRENCH ONLY</u>) (No. 30456/06)	3	No violation of Art. 3 (substantive)	Proportionate and justified use of police force given the applicant's refusal to follow orders
		<u>NAIMDZHON YAKUBOV</u> (No. 40288/06)	3	Violation of Art. 5 § 1 (c)	Unlawful pre-trial detention of the applicant (arbitrary)
				Violation of Art. 5 § 3	Excessive length of applicant's pre-trial detention
				Violation of Art. 5 § 4	Applicant's inability to participate in the appeal proceedings against the review of the extension of his pre-trial detention
				Violation of Art. 6 § 1	Excessive length of criminal proceedings (3 years and 10 months)

RUSSIA (CONTINUED)	12 November 2015	RUSTAM KHODZHAYEV (IN FRENCH ONLY) (No. 21049/06)	3	Violation of Art. 3 (procedural)	Ineffective investigation into the applicant's allegations of police ill-treatment
				No violation of Art. 3 (substantive)	Absence of sufficient evidence suggesting that the applicant had been subjected to police ill-treatment, largely due to the lack of an effective investigation by the domestic authorities
				Violation of Art. 6 §§ 1 and 3 (c)	Lack of legal representation on appeal
	ZAKHARIN AND OTHERS (No. 22458/04)	3	Violation of Art. 3 (procedural)	Ineffective investigation into the applicants' allegations of ill-treatment in police custody	
			Violation of Art. 3 (substantive)	Ill-treatment of the applicants while in state custody	
	TURKEY	10 November 2015	CAMLAR (No. 28226/04)	3	Violation of Art. 6 § 1
Violation of Art. 2 (procedural)					Domestic authorities' failure to conduct an effective investigation into the circumstances of the wounding of the applicant in order to identify the perpetrators
		HAKIM IPEK (IN FRENCH ONLY) (No. 47532/09)	3	No violation of Art. 2 (substantive)	Absence of sufficient evidence suggesting that the applicant had been wounded by police officers largely due to the lack of an effective investigation by the domestic authorities

TURKEY (CONTINUED)	10 November 2015	<u>SAKIR KACMAZ</u> (No. 8077/08)	2	Violation of Art. 3 (substantive)	Excessive use of police force during the applicant's arrest
				No violation of Art. 3 (substantive)	Absence of sufficient evidence suggesting that the applicant had been subjected to ill- treatment during his detention in police custody, largely due to the lack of an effective investigation by the domestic authorities
				Violation of Art. 3 (procedural)	Lack of a prompt and effective investigation into the applicant's allegations of police ill-treatment which lasted for a period of more than 8 years and 3 months while the applicant was denied access to the investigatory procedure
	17 November 2015	SEFER YILMAZ AND MERYEM YILMAZ (<u>IN FRENCH</u> <u>ONLY</u>) (No. 611/12)	2	No violation of Art. 2 (substantive) (positive obligations)	Domestic authorities' inability to foresee, in the absence of an objective reason, such as a serious mental disorder, the existence of a suicide risk
				No violation of Art. 2 (procedural)	Adequate and prompt investigation
				Violation of Art. 6 § 1	Breach of the applicants' right of access to a court as, in order to reject their administrative application for failure to comply with the time-limit, the domestic authorities considered that the delay started running from the date of the incident and not from the date the applicants were actually informed of the rejection of their application

TURKEY (CONTINUED)	17 November 2015	SEYFETTIN GUNES (No. 22182/10)	3	Violation of Art. 6 § 3 (c) in conjunction with Art. 6 § 1	Lack of legal assistance afforded to the applicant while in police custody
		TANISMA (IN FRENCH ONLY) (No. 32219/05)	2	No violation of Art. 2 (substantive) (positive obligations)	Domestic authorities' inability to foresee, in the absence of an objective reason, such as a serious mental disorder, the existence of a suicide risk
				Violation of Art. 6 § 1	Unfairness of proceedings on account of the lack of independence and impartiality of the domestic High Court
UKRAINE	5 November 2015	BASYUK (No. 51151/10)	3	Violation of Art. 2 (procedural)	Lack of an effective investigation into the death of the applicant's daughter
	26 November 2015	BASENKO (No. 24213/08)	2	Violation of Art. 3 (procedural) (positive obligations)	Domestic authorities' failure to carry out an effective investigation into the ill-treatment suffered by the applicant, to ensure the requisite expediency of the proceedings and to ensure effective access of the applicant to the investigation procedure
				Violation of Art. 3 (substantive)	Ill-treatment of the applicant by an employee of a public transport company
				Violation of Art. 13	Lack of an effective remedy under domestic law as the shortcomings of the criminal proceedings had prevented the applicant from obtaining compensation in a timely matter

B. The decision on admissibility

Those decisions are published with a slight delay of two to three weeks on the Court's website. Therefore the decisions listed below cover the period **from 1 to 31 August 2015**. Those decisions are selected to provide the NHRs with potentially useful information on the reasons of the inadmissibility of certain applications addressed to the Court and/or on the friendly settlements reached.

STATE	DATE	CASE TITLE	ALLEGED VIOLATION	DECISION
BULGARIA	1 September 2015	Hofbauer v. Bulgaria	Violation of Art. 3 of the Convention (inhuman and degrading treatments in the Psychiatric hospital)	Manifestly ill-founded (the incident did not reach a level as such as it could be considered within the scope of Art. 3)
CROATIA	25 August 2015	Damjanović v. Croatia	Violation of Art. 6§1 of the Convention (the civil remedies could not be considered as sufficient to obtain damages from the State)	The complaint is declared inadmissible (the Court will not intervene unless the decisions reached by the national courts seem to be arbitrary or manifestly unreasonable)
POLAND	25 August 2015	Zamet - Budowa Maszyn Spółka Akcyjna v. Poland	Violation of Article 6§1 and 13 of the Convention (deprivation of the right to a fair trial, being forced to accept an arbitration clause).	The complaint was rejected and declared as incompatible <i>ratione personae</i> with the Convention (the applicant did not institute the aimed proceedings before the Court).
PORTUGAL	1 September 2015	Da Silva Carvalho Rico v. Portugal	Violation of Art. 1 of Protocol 1 and Art. 13 and 14 of the Convention (the tax levied was not a temporary measure anymore)	The complaint is manifestly ill-founded (the measure taken was, considering the public interest and the limited extent of it, proportionnal)
RUSSIA	25 August 2015	Shovgurov v. Russia	Violation of Article 6§1 and 13 of the Convention (the applicant complained about the ineffectiveness of the investigation and the mental suffering he had endured)	The complaint was rejected and declared as incompatible <i>ratione temporis</i> with the Convention (the investigation was led before the entry into force of the Convention in respect of Russia)

C. The communicated cases

The European Court of Human Rights publishes on a weekly basis a list of the communicated cases on its website. These are cases concerning individual applications which are pending before the Court. They are communicated by the Court to the respondent State's Government with a statement of facts, the applicant's complaints and the questions put by the Court to the Government concerned. The decision to communicate a case lies with one of the Court's Chamber which is in charge of the case. A **selection** of those cases **covering the period from 1 to 30 September** is proposed below.

NB: The statements of facts and complaints have been prepared by the Registry (solely in one of the official languages) on the basis of the applicant's submissions. The Court cannot be held responsible for the veracity of the information contained therein.

STATE	DATE OF DECISION TO COMMUNICATE	CASE TITLE	KEY WORDS OF QUESTIONS SUBMITTED TO THE PARTIES
ARMENIA	1 September 2015	VOSKANYAN (No. 623/13)	The applicant claims that her husband died as a result of the failure by the authorities to transfer him to the hospital in a timely manner.
CROATIA	23 September 2015	A AND B (No. 7144/15)	The applicant complains about the fact that the national authorities have not properly responded to the allegations of sexual abuse by her father.
GEORGIA	28 September 2015	TSULUKIDZE AND OTHERS (No. 14797/11)	The applicants complain about the relevant authorities' failure to prevent, stop or redress the alleged religiously motivated violence to which they were subjected.
GERMANY	7 September 2015	G (No. 9173/14)	The applicant complains about the domestic courts' refusal to reopen the criminal proceedings against him despite the fact that the Court found that his retrospective preventive detention did not constitute a criminal offence.
LITHUANIA	29 September 2015	A.Č. (No 59076/08)	The applicant claims that the publication of claim that he had had a sexual relationship with his (now deceased) mother interfered with his private life.
POLAND	3 September 2015	WOŹNIAK (No. 67636/12)	The applicant argues that the living conditions and medical care secured to him in prison were inadequate in view of his special needs.
ROMANIA	18 September 2015	POPA (No. 1814/11)	The applicant complains that by fixing her term of suspension to three years, the domestic courts breached that they imposed a heavier penalty than the one prescribed by the law.
RUSSIA	2 September 2015	SAMULEVICH (No. 11693/07)	According to the defendant, his relative's death was possibly a result of actions or omissions to act by the personnel of the remand prison who failed to comply with their positive obligations to protect the life of the detainee.
	21 September 2015 and 22 September 2015	TANGIYEV (No. 35816/10) AND MAGOMEDOV (No. 29910/08)	The applicants complain about the violation of the right to life of their relatives referred to as "abducted persons" indicating that they had been abducted by State agents.

SWEDEN	11 September 2015	W.K. AND M.F. (No. 36802/15)	According to the applicants, if they were expelled to the State at case, they would face a real risk of being persecuted and subjected to inhuman and degrading treatment because they belong to a religious minority over there.
THE REPUBLIC OF MOLDOVA	14 September 2015	COȚOFAN (No. 5659/07)	The applicant claims that the seizure of his car and his fining constituted an unlawful interference with his right to property.
TURKEY	28 September 2015	KILIŇARSLAN (No. 63821/10)	The applicant argues that the domestic authorities' refusal to allow her to change her surname which resulted in discrimination on grounds of ethnic origin.

PartOne

§2 - EUROPEAN COMMITTEE OF SOCIAL RIGHTS

A. Reclamations and Decisions

[No work deemed relevant for the NHRs for the period under observation]

B. Other information

[No work deemed relevant for the NHRs for the period under observation]

PartOne

§3 - RECOMMENDATIONS & RESOLUTIONS

A. Recommendations

[No work deemed relevant for the NHRs for the period under observation]

B. Resolutions

AUTHOR	DATE	TEXT NUMBER	SUBJECT MATTER	DECISION
CM	25 November 2015	(2015)27E	The adjustment of the scale of contributions to the Council of Europe Ordinary Budget and Budget of the European Youth Foundation with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Ordinary Budget and to the Budget of the European Youth Foundation.
CM	25 November 2015	(2015)28E	The Ordinary Budget for 2016-2017	CM approved the Programme for 2016-2017, as well as the Ordinary Budget of expenditure and receipts for 2016, totalling €259 915 400, of which €253 158 300 is to be financed by member States' contributions, apportioned among member States. Furthermore, CM approved, on a provisional basis, the Ordinary Budget for 2017.
CM	25 November 2015	(2015)29E	The adjustment of the scale of contributions to the Extraordinary Budget with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Extraordinary Budget.

CM	25 November 2015	(2015)30E	The Extraordinary Budget relating to buildings expenditure for 2016-2017	CM approved the Extraordinary Budget for 2016, with expenditure and receipts totalling €5 447 200, as well as the Extraordinary Budget for 2017. Furthermore, CM expressed that the amount to be paid by member States for the financial year 2016 by way of contribution is €5 447 200.
CM	25 November 2015	(2015)31E	The Pensions Budget for 2016-2017	CM approved the Pensions Budget for 2016, with expenditure and receipts totalling €48 271 900. Furthermore, CM expressed that the amount of the allocation from the Pension Reserve Fund shall be equal to the amount of actual expenditure. Finally, CM approved, on a provisional basis, the Pensions Budget for 2017.
CM	25 November 2015	(2015)32E	The adjustment of the scale of contributions to the Pension Reserve Fund with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Pension Reserve Fund.
CM	25 November 2015	(2015)33E	The Pension Reserve Fund for 2016-2017	CM expressed that the amount to be paid by member States by way of their contributions to the Pension Reserve Fund for 2016 shall be €25 063 200.

CM	25 November 2015	(2015)34E	The Budget of the European Youth Foundation for 2016-2017	CM approved the European Youth Foundation's Programme for 2016-2017, as well as the European Youth Foundation's Budget for 2016 with expenditure and receipts totalling €3 696 700. Furthermore, CM expressed that the amount to be paid by member States by way of their contributions for 2016 amounts to €3 503 700, shall be apportioned among member States. Finally CM approved, on a provisional basis, the European Youth Foundation's Budget for 2017.
CM	25 November 2015	(2015)35E	The adjustment of the scale of contributions to the Budget of the European Pharmacopoeia with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Budget of the European Pharmacopoeia.
CM	25 November 2015	(2015)36E	The Budget of the European Pharmacopoeia for 2016-2017	CM approved the European Pharmacopoeia Programme for 2016-2017, as well as the European Pharmacopoeia Budget for 2016 with expenditure and receipts totalling €67 574 600. Furthermore, CM expressed that the total of the budget of receipts shall be a function of collected receipts and the budgets of expenditure and receipts adjusted accordingly in the course of the financial year. CM approved the apportionment, among the States Parties to the Convention, of the contributions for 2016, totalling €3 062 600. Finally, CM approved, on a provisional basis, the European Pharmacopoeia Budget for 2017.

CM	25 November 2015	(2015)37E	The adjustment of the scale of contributions to the Budget of the Partial Agreement on the Council of Europe Development Bank with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Budget of the Council of Europe Development Bank.
CM	25 November 2015	(2015)38E	The Budget of the Partial Agreement on the Council of Europe Development Bank for 2016-2017	CM approved the Council of Europe Development Bank's Programme for 2016-2017 and the Council of Europe Development Bank's Budget for 2016 with expenditure and receipts totalling €1 423 100. Furthermore, CM approved the apportionment, among the States members of the Partial Agreement on the Council of Europe Development Bank, of the contributions for 2016, totalling €1 015 400. Finally, CM approved, on a provisional, the Council of Europe Development Bank's Budget for 2017.
CM	25 Novembre 2015	(2015)39E	The adjustment of the scale of contributions to the Budget of the Enlarged Partial Agreement on the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Budget of the Enlarged Partial Agreement on the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group).
CM	25 November 2015	(2015)40E	The Budget of the Enlarged Partial Agreement on the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) for 2016-2017	CM approved the Pompidou Group's Programme for 2016-2017 and the Pompidou Group's Budget for 2016 with expenditure and receipts totalling €1 412 100. Furthermore, CM approved the apportionment, among the States which are members of the Enlarged Partial Agreement on the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group), of the contributions for 2016 totalling €1 412 100. Finally, CM approved, on provisional basis, the Pompidou Group's Budget for 2017.

<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)41E</p>	<p>The adjustment of the scale of contributions to the Budget of the Partial Agreement on the Co-operation Group for the Prevention of, Protection against, and Organisation of Relief in Major Natural and Technological Disasters (EUR-OPA) with effect from 1 January 2016</p>	<p>CM adopted, with effect from 1 January 2016, the scale of contributions of States members to the Budget of the Partial Agreement on the Co-operation Group for the Prevention of, Protection against, and Organisation of Relief in Major Natural and Technological Disasters.</p>
<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)42E</p>	<p>The Budget of the Partial Agreement on the Co-operation Group for the Prevention of, Protection against, and Organisation of Relief in Major Natural and Technological Disasters (EUR-OPA) for 2016-2017</p>	<p>CM approved the Co-operation Group's Programme for 2016-2017 and the Co-operation Group's Budget for 2016 with expenditure and receipts totalling €1 025 600. Furthermore, CM approved the apportionment, among the States members of the Partial Agreement on the Co-operation Group for the Prevention of, Protection against, and Organisation of Relief in Major Natural and Technological Disasters, of the contributions for 2016, totalling €1 025 600. Finally, CM approved, on a provisional basis, the Co-operation Group's Budget for 2017.</p>

<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)43E</p>	<p>The Budget of the Partial Agreement on the European Support Fund for the Co-production and Distribution of Creative Cinematographic and Audiovisual Works "Eurimages" for 2016-2017</p>	<p>CM approved the European Support Fund's Programme for 2016-2017, as well as the European Support Fund's Budget for 2016 with expenditure and receipts totalling €25 307 000. Furthermore, CM expressed that the budget of programme expenditure shall be equal to the difference between the total of the budget of receipts and the total of the budget of operational expenditure, the latter totalling €3 275 400. Also, CM expressed that the total of the budget of receipts shall be a function of collected receipts and adjusted accordingly in the course of the financial year. Finally, CM approved the apportionment, among the States members of the Partial Agreement on the European Support Fund for the Co-production and Distribution of Creative Cinematographic and Audiovisual Works "Eurimages", of the contribution for 2016, totalling €23 307 000. CM approved, on a provisional basis, the European Support Fund's Budget for 2017.</p>
<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)44E</p>	<p>The adjustment of the scale of contributions to the Budget of the Enlarged Agreement on the European Commission for Democracy through Law (Venice Commission) with effect from 1 January 2016</p>	<p>CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Budget of the Enlarged Agreement on the European Commission for Democracy through Law (Venice Commission).</p>

<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)45E</p>	<p style="text-align: center;">The Budget of the Enlarged Agreement on the European Commission for Democracy through Law (Venice Commission) for 2016-2017</p>	<p>CM approved the Venice Commission's Programme for 2016-2017, as well as the Venice Commission's budget for 2016 with expenditure and receipts totalling €4 350 900. Furthermore, CM approved the apportionment, among the States which are members of the Enlarged Agreement on the European Commission for Democracy through Law (Venice Commission), of the contributions for 2016, totalling €4 350 900. Finally, CM approved, on a provisional basis, the Venice Commission's Budget for 2017.</p>
<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)46E</p>	<p style="text-align: center;">The adjustment of the scale of contributions to the Budget of the Enlarged Partial Agreement on Youth Mobility through the Youth Card with effect from 1 January 2016</p>	<p>CM adopted, with effect from 1 January 2016, the scale of contributions by member States to the Budget of the Enlarged Partial Agreement on Youth Mobility through the Youth Card.</p>
<p style="text-align: center;">CM</p>	<p style="text-align: center;">25 November 2015</p>	<p style="text-align: center;">(2015)47E</p>	<p style="text-align: center;">The Budget of the Enlarged Partial Agreement on Youth Mobility through the Youth Card for 2016-2017</p>	<p>CM approved the Programme of the Enlarged Partial Agreement on Youth Mobility through the Youth Card for 2016-2017, as well as the budget of the Enlarged Partial Agreement for 2016 with expenditure and receipts totalling €69 300. Furthermore, CM approved the apportionment, among the States members of the Enlarged Partial Agreement on Youth Mobility through the Youth Card, of the contributions for 2016, totalling €69 300. Finally, CM approved, on a provisional basis, the Budget of the Enlarged Partial Agreement for 2017.</p>

CM	25 November 2015	(2015)48E	The adjustment of the scale of contributions to the Budget of the Enlarged Partial Agreement on the European Centre for Modern Languages (Graz) with effect from 1 January 2016	CM adopted, with effect from 1 January 2016, the scale of contributions by States members to the Budget of the Enlarged Partial Agreement on the European Centre for Modern Languages (Graz).
CM	25 November 2015	(2015)49E	The Budget of the Enlarged Partial Agreement on the European Centre for Modern Languages (Graz) for 2016-2017	CM approved the Programme for 2016-2017, as well as the budget for 2016 with expenditure and receipts, totalling €1 348 400. Furthermore, CM approved the apportionment, among the States members of the Enlarged Partial Agreement on the European Centre for Modern Languages (Graz), of the contributions for 2016 totalling €1 348 400. CM expressed that the budget of programme expenditure shall be equal to the difference between the total of the budget of receipts and the total of the budget for operational expenditure, the latter totalling €873 300. Finally, CM approved, on a provisional basis, the Budget for 2017.
CM	25 November 2015	(2015)50E	The revision of the tables appended to the Regulations governing staff salaries and allowances	CM decided that the relevant tables appended to the Regulations governing staff salaries and allowances setting out the basic salary scales and other elements of remuneration are replaced, with effect from 1 January 2016, by the tables applicable to Council of Europe Secretariat staff which are appended to the 237th report of the Coordinating Committee on Remuneration (CM(2015)152) , with the exception of the salary scales for B and C grade staff members for Belgium, France, Germany and Hungary which are replaced by the salary scales set out in document CM(2015)152 add.

<p>CM</p>	<p>25 November 2015</p>	<p>(2015)51E</p>	<p>The remuneration of specially appointed officials</p>	<p>CM expressed that the basic annual salaries of the Secretary General shall be adjusted to €201 853.32 and, of the Deputy Secretary General and Secretary General of the Assembly having the rank of Deputy Secretary General to €191 039.76, with effect from 1 January 2016</p>
<p>PACE</p>	<p>27 November 2015</p>	<p>2081</p>	<p>Access to justice and the internet: potential and challenges</p>	<p>PACE expressed that IT tools could speed up and simplify judicial proceedings. Voluntary online dispute resolution could resolve disputes “more speedily, cheaply, and in a less conflictual manner” than conventional litigation. However, PACE added that there should also be safeguards on issues such as privacy, equality of access to online resources and enforcement of any decisions reached.</p>
<p>PACE</p>	<p>27 November 2015</p>	<p>2082</p>	<p>The fate of critically ill detainees in Europe</p>	<p>Parliamentarians regretted the legal and practical barriers to prisoners’ access to critical medical care and to the compassionate release of elderly or terminally ill prisoners. Thus, PACE called on European governments to provide processes for requesting (temporary) compassionate release. This would enable seriously ill prisoners to receive specialized medical attention and elderly or terminally ill detainees to die with dignity outside prison.</p>

<p>PACE</p>	<p>27 November 2015</p>	<p>2083</p>	<p>Chinese migration to Europe: challenges and opportunities</p>	<p>PACE expressed that the influx of Chinese migrants to Europe should be viewed “in terms of potential for economic growth”, and thus, called on member States to facilitate their access to the nationality of the host country.</p>
<p>PACE</p>	<p>27 November 2015</p>	<p>2084</p>	<p>Promoting best practices in tackling violence against women</p>	<p>PACE stressed that all violence against women is a form of discrimination and a gross violation of human rights. Furthermore, PACE underlined the key role of parliamentarians and national parliaments in monitoring the implementation of the Istanbul Convention. Finally, the report brought to light good practices already implemented by Council of Europe member states « as a possible source of inspiration ».</p>

PartOne

§4 - OTHER INFORMATION OF GENERAL IMPORTANCE

A. Information from the Committee of Ministers

[No work deemed relevant for the NHRs for the period under observation]

B. Information from the Parliamentary Assembly

■ PACE President called for cooperation between public authorities and religion leaders to fight radicalisation (02.11.2015)

Stressing the importance of cooperation between public authorities and religious leaders to fight radicalisation that may lead to terrorism, the PACE President called for “the teaching of religion to become an opportunity for reciprocal listening and for developing critical thinking, including within the religious communities themselves.” Furthermore, PACE President recalled an earlier PACE recommendation to the Committee of Ministers calling for the creation of 'a stable and officially recognised platform for dialogue between the Council of Europe and senior representatives of religions and non-denominational organisations in order to consolidate the existing relations with those partners and foster active commitment by all the stakeholders in activities to promote the Organisation’s fundamental values, which underpin ‘living together’. ([Read more](#) - [Opening speech by Ms Brasseur](#))

■ PACE President called for probes to ‘root out corruption’ in all major sport federations (09.11.2015)

PACE President expressed that there is an urgent need for investigations into all major international federations in order to root out corruption and dirty administration, clean up sport and protect the vast majority of athletes and volunteers. ([Read more](#))

■ PACE rapporteur on migration transit countries, ending Western Balkans visit, urged greater international co-operation (16.11.2015)

Following her visit to “the former Yugoslav Republic of Macedonia”, PACE rapporteur has expressed her appreciation for the efforts of state authorities, international organisations and civil society organisations in providing basic protection to the unprecedented numbers of people crossing the Western Balkans. PACE rapporteur encouraged all the affected countries of the Western Balkans to continue regulating the refugees and migrant transit, as this reduces the hardship and risks they must endure and keeps them out of the hands of migrant smugglers. ([Read more](#) - [Announcement of the visit](#))

■ PACE President: raising awareness is essential for protecting children from sexual abuse (18.11.2015)

On the occasion of the first European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse, PACE President called upon all her parliamentary colleagues to give their full support to fight sexual abuse and exploitation of children, also beyond the end of the ONE in FIVE Campaign, and ideally, by organising events, debates and statements around the 18 November every year. ([Read more](#))

■ PACE President condemned ‘cold-blooded inhumanity’ of recent wave of terrorist attacks (20.11.2015)

PACE President speaking during the World Forum for Democracy, has condemned, in the strongest possible terms, the wave of terrorist attacks by IS against France, Lebanon and Russia, as well as other states earlier this year. ([Read more](#))

■ PACE’s Committee on Social Affairs called for a public-health-oriented policy (23.11.2015)

PACE strongly supported the call for a change in approach to drug policy, and thus, called on member States to adopt and promote a public-health-oriented drug policy based on prevention, treatment and harm reduction. ([Read more](#))

■ Counterfeiting of medicines: the MEDICRIME Convention paved the way for a global response (24.11.2015)

PACE called on parliamentarians to raise awareness on the counterfeiting of medical products and similar crimes, and their negative impact on public health. Thus PACE called on the national parliaments of the 47 member States and worldwide to ratify the MEDICRIME Convention. ([Read more](#))

■ Call for a Council of Europe summit to reaffirm States’ commitment to common values (27.11.2015)

PACE called for a Council of Europe Summit of Heads of State and Government in order for the member States to reaffirm, at the highest political level, “their commitment to the common values and principles of democracy, human rights and the rule of law upheld by the Organisation.” ([Read more](#))

■ PACE President: ‘Our common objective must be to combat terrorism, not to combat migrants’ (27.11.2015)

PACE President called on national parliaments to ratify the additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, and invited parliamentarians to get involved in the Council of Europe ‘No Hate Campaign’. ([Read more - Standing Committee meets in Sofia as Bulgaria takes over CoE Chairmanship - Opening speech to the Standing Committee](#))

C. Information for the Commissioner for Human Rights

[No work deemed relevant for the NHRs for the period under observation]

D. Information from the monitoring mechanisms

■ CPT: November 2015 plenary meeting (09.11.2015)

The CPT held its 88th plenary meeting from 2 to 6 November 2015 in Strasbourg.

During this meeting, it adopted the reports on its periodic visits to Switzerland (carried out in April 2015), Sweden (May 2015) and Serbia (May/June 2015), and on its ad hoc visits to Kosovo¹ (April 2015), Azerbaijan (June 2015) and Turkey (June 2015). ([Read more](#)).

Publication of a report on Gibraltar (19.11.2015)

¹ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 (1999) and without prejudice to the status of Kosovo.

The CPT published the report on its November 2014 visit to the British Overseas Territory of Gibraltar, together with the Government of Gibraltar's response as submitted by the Government of the United Kingdom ([Read more](#)).

■ **GRETA's 24th meeting (from 16.11.2015 to 20.11.2015)**

[Read more](#).

PartTwo

INFORMATION BY COUNTRY

This part presents a selection of information which is deemed to be mainly relevant for only one country.

Please, refer to the index above (p.3) to find the country you are interested in. Only countries concerned by at least one piece of information issued during the period under observation are listed below.

Armenia

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Kirakosyan (No. 31237/03)	4 May 2009	CM/ResDH(2015)169	Examination closed
Mkhitarian (No. 22390/05)	4 May 2009	CM/ResDH(2015)169	Examination closed
Tadevosyan (No. 41698/04)	4 May 2009	CM/ResDH(2015)169	Examination closed
Karapetyan (No. 22387/05)	27 January 2010	CM/ResDH(2015)169	Examination closed
Minasyan and Semerjyan (No. 27651/05)	7 September 2011	CM/ResDH(2015)191	Examination closed
Hovhannisyan and Shiroyan (No. 5065/06)	15 February 2012	CM/ResDH(2015)191	Examination closed
Yeranosyan and Others (No. 13916/06)	20 October 2010	CM/ResDH(2015)191	Examination closed
Danielyan and Others (No. 25825/05)	9 January 2013	CM/ResDH(2015)191	Examination closed
Tunyan and Others (No. 22812/05)	11 February 2013	CM/ResDH(2015)191	Examination closed
Baghdasaryan and Zarikyants (No. 43242/05)	13 February 2015	CM/ResDH(2015)191	Examination closed
Gharibyan and Others (No. 19940/05)	13 February 2015	CM/ResDH(2015)191	Examination closed
Ghasabyan and Others (No. 23566/05)	13 February 2015	CM/ResDH(2015)191	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ PACE: Committee called on Armenia to withdraw from Nagorno-Karabakh as part of the Minsk process (04.11.2015)

PACE called for the « withdrawal of Armenia armed forces and other irregular armed forces from Nagorno-Karabakh and the other occupied territories of Azerbaijan, and the establishment of full sovereignty of Azerbaijan in these territories », in the framework of the OSCE Minsk process. ([Read more](#) - [Adopted draft resolution](#).)

Austria

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Roman Kerschner (No. 44602/11)	24 March 2015	CM/ResDH(2015)192	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRSs during the period under observation]

C. Other information

■ CPT: Publication of a report (06.11.2015)

The (CPT) published the report on its September/October 2014 visit to Austria, together with the Austrian authorities' response.

In the visit report, the CPT reviewed the measures taken by the Austrian authorities following the recommendations made by the Committee after previous visits ([Read more](#) - [Read the report](#) - [Austrian authorities' response](#)).

Azerbaijan

A. Execution of the judgments of the European Court of Human Rights

[No work deemed relevant for NHRs during the period under observation]

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ PACE President welcomed the release of Azerbaijani civil society activist Arif Yunus (13.11.2015)

PACE President welcomed the release of Arif Yunus on humanitarian grounds. Moreover, PACE President appealed to the authorities of Azerbaijan to act in accordance with the standards of the European Convention on Human Rights and their commitments and obligations to the Council of Europe. ([Read more](#))

■ PACE: Inhabitants of frontier regions of Azerbaijan were ‘deliberately deprived of water’, said Committee (26.11.2015)

In view of this urgent humanitarian problem, PACE committee requested “the immediate withdrawal of Armenian armed forces from the region concerned”, allowing access by independent engineers and hydrologists to carry out a detailed on-the-spot survey and international supervision of the irrigation canals, the state of the Sarsang and Madagiz dams, the schedule of water releases during the autumn and winter, and aquifer overexploitation. Furthermore, parliamentarians called on Armenian authorities to cease using water resources “as tools of political influence or an instrument of pressure”, benefiting only one of the parties to the conflict. ([Read more](#) - [Draft resolution](#))

■ PACE: Azerbaijan - another step toward free and democratic elections but human rights concerns remain (27.11.2015)

PACE called on Azerbaijani authorities to urgently improve the situation of human rights and to continue the democratic development of the country after the elections. Furthermore, PACE also called on Azerbaijan to take note of relevant recommendations of the Venice Commission. ([Read more](#) - [Report on the observation of the elections](#))

■ GRETA: Round-Table to support anti-trafficking efforts in Azerbaijan (10.11.2015)

A round-table meeting on the follow-up to be given to GRETA's first report and the Committee of the Parties' recommendation on the implementation of the Convention on Action against Trafficking in Human Beings by Azerbaijan took place in Baku on 10 November 2015 ([Read more](#)).

Bosnia and Herzegovina

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Avdic and Others (No. 28357/11+)	19 February 2014	CM/ResDH(2015)170	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRSs during the period under observation]

C. Other information

■ MONEYVAL: Report on the 4th round assessment visit to Bosnia and Herzegovina (19.11.2015)

The mutual evaluation report on the 4th assessment visit to Bosnia and Herzegovina is now available. The report was adopted at MONEYVAL's 48th Plenary Meeting (Strasbourg, 14 – 18 September 2015) ([Read the report](#)).

Bulgaria

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Duraliyski (No. 45519/06)	4 June 2014	CM/ResDH(2015)171	Examination closed
D.M.T. and D.K.I. (No. 29476/06)	24 October 2012	CM/ResDH(2015)193	Examination closed
Iordanovi (No. 10907/04)	27 April 2011	CM/ResDH(2015)194	Examination closed
M. and Others (No. 40020/03)	17 December 2012	CM/ResDH(2015)205	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ CPT: Publication of a report (12.11.2015)

The CPT published the report on its most recent visit to Bulgaria (13 to 20 February 2015), together with the response of the Bulgarian authorities. The visit was an opportunity for the CPT to assess the progress in the implementation of its long-standing recommendations and to review, in particular, the treatment and detention conditions of persons held at investigation detention facilities and prisons ([Read more](#) - [Read the report](#) - [Read the response of the Bulgarian authorities](#)).

Croatia

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Simecki (No. 15253/10)	30 July 2014	CM/ResDH(2015)172	Examination closed
Boris Borvicanovic (No. 37421/13)	7 April 2015	CM/ResDH(2015)195	Examination closed
Darinka Coc-Stokic (No. 27951/13)	7 April 2015	CM/ResDH(2015)195	Examination closed
Lovorka Devcic (No. 56599/14)	21 April 2015	CM/ResDH(2015)195	Examination closed
Juraj Markulin (No. 24271/13)	21 April 2015	CM/ResDH(2015)195	Examination closed
Viktor Simoncic (No. 51899/13)	21 April 2015	CM/ResDH(2015)195	Examination closed
Egic (No. 32806/09)	5 September 2014	CM/ResDH(2015)196	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Cyprus

A. Execution of the judgments of the European Court of Human Rights

[No work deemed relevant for NHRs during the period under observation]

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ GRETA: Publication of a second report (06.11.2015)

The GRETA has published its second evaluation report on Cyprus. The report assesses progress made over the last four years in implementing the Council of Europe's Convention on Action against Trafficking in Human Beings, following the publication of GRETA's first evaluation report in September 2011 ([Read more](#) - [Read the report](#)).

■ FCNM: Publication of the 4th Advisory Committee Opinion (02.11.2015)

The FCNM has published its Fourth Opinion on Cyprus together with the government comments ([Read more](#)).

Georgia

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Zaza Jakeli (No. 51247/10)	12 May 2015	CM/ResDH(2015)197	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Greece

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Martrakas and Others (No. 47268/06)	7 February 2014	CM/ResDH(2015)173	Examination closed
Tsourlakis (No. 50796/07)	1 March 2010	CM/ResDH(2015)174	Examination closed
I.B. (No. 552/10)	3 January 2014	CM/ResDH(2015)198	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Hungary

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Voinity (No. 29617/07)	12 May 2013	CM/ResDH(2015)175	Examination closed
Gabor Havas (No. 24212/09)	10 March 2015	CM/ResDH(2015)199	Examination closed
Gyula Hollosi (No. 68392/14)	7 April 2015	CM/ResDH(2015)199	Examination closed
Aron Kiss (No. 12166/11)	21 April 2015	CM/ResDH(2015)199	Examination closed
Peter Kun (No. 32805/09)	17 February 2015	CM/ResDH(2015)199	Examination closed
Rezso and Eva Kutvari (No. 49069/13)	19 May 2015	CM/ResDH(2015)199	Examination closed
Rezsoné Kutvari (No. 69814/13)	19 May 2015	CM/ResDH(2015)199	Examination closed
Laszlo Nagy (No. 13071/11)	7 April 2015	CM/ResDH(2015)199	Examination closed
Béla Pohanka (No. 74821/13)	19 May 2015	CM/ResDH(2015)199	Examination closed
György Purger (No. 66003/09)	10 March 2015	CM/ResDH(2015)199	Examination closed
Rekultim KFT (No. 34306/10)	7 April 2015	CM/ResDH(2015)199	Examination closed
Csaba Sarai (No. 80988/13)	19 May 2015	CM/ResDH(2015)199	Examination closed
Timea Somosiné Tésenyi (No. 17007/11)	21 April 2015	CM/ResDH(2015)199	Examination closed
Laszloné Szabo-Németh (No. 11604/09)	10 March 2015	CM/ResDH(2015)199	Examination closed
Katalin Szamosi (No. 27070/10)	7 April 2015	CM/ResDH(2015)199	Examination closed
Janos Szekeres and Others (No. 50461/13)	19 May 2015	CM/ResDH(2015)199	Examination closed

Andras Tartally and Eموke Tartallyné Tihanyi (No. 724/11)	7 April 2015	CM/ResDH(2015)199	Examination closed
Sandor Visnyei (No. 49177/13)	19 May 2015	CM/ResDH(2015)199	Examination closed
Robert Weimber (No. 5454/11)	7 April 2015	CM/ResDH(2015)199	Examination closed
Janosné Zsoldos (No. 11082/09)	10 March 2015	CM/ResDH(2015)199	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ FCNM: Visit of the Advisory Committee (13.11.2015)

A delegation of the Advisory Committee on the Framework Convention for the Protection of National Minorities will be visiting Hungary from 7 to 11 December 2015 in the context of the monitoring of the implementation of this convention ([Read more](#)).

Iceland

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Vördur Olafsson (No. 20161/06)	27 July 2010	CM/ResDH(2015)200	Examination closed
Sara Lind Eggertsdottir (No. 31930/04)	5 October 2007	CM/ResDH(2015)201	Examination closed
Sigurdsson (No. 39731/98)	10 July 2003	CM/ResDH(2015)202	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Ireland

A. Execution of the judgments of the European Court of Human Rights

[No work deemed relevant for NHRs during the period under observation]

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ CPT: Publication of a report (17.11.2015)

The CPT has published a report on its sixth periodic visit to Ireland, which took place from 16 to 26 September 2014, together with the response of the Irish Government. Both documents have been made public at the request of the Irish authorities ([Read more](#) - [Read the report](#) - [Response of the Irish Government](#)).

■ FCNM: Follow-up dialogue (10.11.2015)

A follow-up meeting took place on 11 November in Dublin in the context of the third monitoring cycle.

Italy

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Godelli (No. 33783/09)	18 March 2013	CM/ResDH(2015)176	Examination closed
Moretti and Benedetti (No. 16318/07)	22 November 2010	CM/ResDH(2015)177	Examination closed
Caldarella (No. 29703/06)	22 January 2013	CM/ResDH(2015)178	Examination closed
Dhahbi (No. 17120/09)	8 July 2014	CM/ResDH(2015)203	Examination closed
Ben Khemais (No. 246/07)	6 July 2009	CM/ResDH(2015)204	Examination closed
Trabelsi (No. 50163/08)	13 July 2010	CM/ResDH(2015)204	Examination closed
Toumi (No. 25716/09)	27 November 2011	CM/ResDH(2015)204	Examination closed
Mannai (No. 9961/10)	27 June 2012	CM/ResDH(2015)204	Examination closed
M. and Others (No. 40020/03)	17 December 2012	CM/ResDH(2015)205	Examination closed
Umberto and Pierpaolo Pedicini (No. 8681/05)	10 June 2009	CM/ResDH(2015)206	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Montenegro

A. Execution of the judgments of the European Court of Human Rights

[No work deemed relevant for NHRs during the period under observation]

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ PACE rapporteurs praised Montenegro's stabilising role but list areas needing further action (20.11.2015)

PACE rapporteurs have welcomed the continuing positive role played by the country in stabilising the region, and in setting a good example to other countries of the region in its negotiations leading to EU membership. Moreover, PACE rapporteurs emphasised the need for newly adopted laws to be fully implemented so as to ensure the reforms are sustainable. Furthermore, the co-rapporteurs encouraged all political forces to re-engage in a constructive political dialogue in order to overcome the crisis and to prevent it from escalating any further, in the interest of the people of Montenegro. ([Read more - PACE co-rapporteurs to make fact-finding visit to Montenegro](#))

Netherlands

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Khaliel Basarat (No. 43108/12)	21 April 2015	CM/ResDH(2015)207	Examination closed
Q.A. (No. 23816/08)	2 June 2015	CM/ResDH(2015)207	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Poland

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Matrakas and Others (No. 47268/06)	7 February 2014	CM/ResDH(2015)173	Examination closed
Mocarska (No. 26917/05)	6 February 2008	CM/ResDH(2015)179	Examination closed
Pankiewicz (No. 34151/04)	12 May 2008	CM/ResDH(2015)179	Examination closed
Kumenda (No. 2369/09)	8 September 2010	CM/ResDH(2015)179	Examination closed
Zdzislaw Cichowski (No. 71845/10)	10 March 2015	CM/ResDH(2015)208	Examination closed
Mariusz Janek (No. 79256/13)	31 March 2015	CM/ResDH(2015)208	Examination closed
Robert Kazmierczak (No. 26072/14)	31 March 2015	CM/ResDH(2015)208	Examination closed
Jaroslaw Kazmierczak (No. 56640/13)	31 March 2015	CM/ResDH(2015)208	Examination closed
Aleksander Kobiz (No. 13571/10)	10 March 2015	CM/ResDH(2015)208	Examination closed
Krzysztof Przewoznik (No. 60731/12)	10 March 2015	CM/ResDH(2015)208	Examination closed
Rozanski (No. 55339/00)	18 August 2006	CM/ResDH(2015)209	Examination closed
Baran (No. 53315/09)	28 August 2013	CM/ResDH(2015)210	Examination closed
Wiktoro (No. 14612/02)	30 June 2009	CM/ResDH(2015)211	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Portugal

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Pinto Pinheiro Marques (No. 26671/09)	22 April 2015	CM/ResDH(2015)212	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Romania

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Antica and "R" Company (No. 26732/03)	2 June 2010	CM/ResDH(2015)180	Examination closed
Ion Cârstea (No. 20531/06)	28 January 2015	CM/ResDH(2015)181	Examination closed
Iulian Popescu (No. 24999/04)	4 September 2013	CM/ResDH(2015)182	Examination closed
Megheles and Popa (No. 28266/05)	14 January 2009	CM/ResDH(2015)183	Examination closed
Lazariu (No. 31973/03)	13 February 2015	CM/ResDH(2015)184	Examination closed
Ignaccolo-Zenide (No. 31679/96)	25 January 2000	CM/ResDH(2015)185	Examination closed
Ieremeiov N°1 (No. 75300/01)	24 February 2010	CM/ResDH(2015)213	Examination closed
Ieremeiov N°2 (No. 4637/02)	24 February 2010	CM/ResDH(2015)213	Examination closed
Dumitru (No. 4710/04)	13 October 2014	CM/ResDH(2015)213	Examination closed
Bugan (No. 13824/06)	12 May 2013	CM/ResDH(2015)213	Examination closed
Cornelia Popa (No. 17437/03)	29 June 2011	CM/ResDH(2015)213	Examination closed
Papaianopol (No. 17590/02)	16 June 2010	CM/ResDH(2015)213	Examination closed
Andreescu (No. 19452/02)	8 September 2010	CM/ResDH(2015)213	Examination closed
Cârlan (No. 34828/02)	20 July 2010	CM/ResDH(2015)213	Examination closed
Cojocaru (No. 32104/06)	10 May 2015	CM/ResDH(2015)213	Examination closed
Kalanyos and Others (No. 57884/00)	26 July 2007	CM/ResDH(2015)214	Examination closed
Gergely (No. 57885/00)	26 July 2007	CM/ResDH(2015)214	Examination closed

Mihai Moldoveanu (No. 4238/03)	19 September 2012	CM/ResDH(2015)215	Examination closed
Mihai Toma (No. 1051/06)	24 April 2012	CM/ResDH(2015)216	Examination closed
Toma (No. 42716/02)	24 May 2009	CM/ResDH(2015)217	Examination closed
Vasile Botomei (No. 24788/14)	17 March 2015	CM/ResDH(2015)218	Examination closed
Maria Constantin and Others (No. 6315/14)	31 March 2015	CM/ResDH(2015)218	Examination closed
Ghiorghi Enache (No. 44659/13)	17 February 2015	CM/ResDH(2015)218	Examination closed
Doina Gancea and Dalina Liana Suciu (No. 12127/11)	21 April 2015	CM/ResDH(2015)218	Examination closed
H.A.U. (No. 5796/14)	17 March 2015	CM/ResDH(2015)218	Examination closed
Elena Hidec (No. 22307/12)	21 April 2015	CM/ResDH(2015)218	Examination closed
Constantin Vladut Iorgu (No. 17672/14)	21 April 2015	CM/ResDH(2015)218	Examination closed
Lica (No. 6/14)	17 March 2015	CM/ResDH(2015)218	Examination closed
Maria Olaru (No. 13191/13)	31 March 2015	CM/ResDH(2015)218	Examination closed
Tudor Pandele (No. 10304/13)	31 March 2015	CM/ResDH(2015)218	Examination closed
Stefan Octavian Petroff (No. 31935/11)	21 April 2015	CM/ResDH(2015)218	Examination closed
Emil Sandor (No. 65057/11)	21 April 2015	CM/ResDH(2015)218	Examination closed
Neculai Stamate (No. 6368/14)	31 March 2015	CM/ResDH(2015)218	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRSS during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

Slovak Republic

A. Execution of the judgments of the European Court of Human Rights

[No work deemed relevant for NHRs during the period under observation]

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ GRETA: Publication of the second evaluation report (09.11.2015)

The GRETA has published its second evaluation report on the Slovak Republic ([Read more](#) - [Read the report](#)).

Switzerland

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Neulinger and Shuruk (No. 41615/07)	6 July 2010	CM/ResDH(2015)186	Examination closed
Hurter (No. 53146/99)	15 March 2006	CM/ResDH(2015)187	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

[No work deemed relevant for NHRs during the period under observation]

“The former Yugoslav Republic of Macedonia”

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Zlate Gorgiev and Hristo Hristov (No. 17395/10)	6 May 2014	CM/ResDH(2015)188	Examination closed
Dobre Jakimov (No. 19053/05)	18 March 2014	CM/ResDH(2015)188	Examination closed
Zoran Arsov (No. 27936/10)	6 May 2014	CM/ResDH(2015)188	Examination closed
Kristina VVeise Sarpanova (No. 40583/10)	1 April 2014	CM/ResDH(2015)188	Examination closed
Stojan Petrovski and Milka Petrovska and 6 others Applications (No. 46359/10)	7 October 2014	CM/ResDH(2015)188	Examination closed
Bajaldziev (No. 4650/06)	25 January 2012	CM/ResDH(2015)189	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ FCNM: Visit of the Advisory Committee (13.11.2015)

A delegation of the Advisory Committee on the FCNM will be visiting “The former Yugoslav Republic of Macedonia” from 7 to 11 December 2015 ([Read more](#)).

Turkey

A. Execution of the judgments of the European Court of Human Rights

[No work deemed relevant for NHRs during the period under observation]

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ PACE: Turkey - voters offered a variety of choice but process hindered by incidents of violence (02.11.2015)

International election observers said that elections in Turkey offered voters a variety of choices, but process was hindered by challenging security environment, incidents of violence and restrictions against media. ([Read more - PACE to observe the early parliamentary elections in Turkey](#))

■ PACE: Elections in Turkey - a wide range of political choices, but an unfair campaign (27.11.2015)

PACE have called on the Turkish authorities to adapt the electoral legislation, and to lower the 10 per cent threshold, which has an impact on the lack of the parliament within the framework of Turkey's post-monitoring dialogue with the Assembly and in co-operation with the Venice Commission. ([Read more - Report on the observation of the elections](#))

■ Turkey: rapporteurs question arrests of leading journalists (27.11.2015)

PACE co-rapporteurs urged the Turkish authorities to guarantee freedom of the press, which is a cornerstone of democracy. Furthermore, PACE co-rapporteurs call on Turkish authorities to align Turkish law with Council of Europe standards and to ensure that the law applied in line with the case-law of the European Court of Human Rights. ([Read more](#))

■ ECRI: Preparation of a report on Turkey (10.11.2015)

A delegation of the ECRI visited Turkey from 2 to 6 November 2015 as the first step in the preparation of a monitoring report. During its visit, ECRI's delegation gathered information on legislation, hate speech, violence, integration policies, LGBT issues and other topics. ([Read more](#))

Ukraine

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Alekseyev (No. 14826/08)	30 January 2014	CM/ResDH(2015)220	Examination closed
Aleksandr Mikhaylovich Bidash and 5 Other Applications (No. 194/12+)	25 March 2014	CM/ResDH(2015)220	Examination closed
Bozhkova (No. 65916/11)	17 September 2013	CM/ResDH(2015)220	Examination closed
Grytsenko (No. 49773/07)	15 October 2013	CM/ResDH(2015)220	Examination closed
Tatyana Pavlovna Korzhova (No. 4341/08)	17 June 2014	CM/ResDH(2015)220	Examination closed
Roman Leonidovych Mokrenko (No. 24340/12)	4 November 2014	CM/ResDH(2015)220	Examination closed
Nikiforova and Nikiforov (No. 29883/03)	19 November 2013	CM/ResDH(2015)220	Examination closed
Lyubov Pavlovna Zharikova and 13 Other Applications (No. 33474/10+)	25 March 2014	CM/ResDH(2015)220	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRSs during the period under observation]

C. Other information

■ PACE rapporteur urged Ukraine to continue on its European path (12.11.2015)

PACE rapporteur has urged the country to continue on its European path, including the adoption of decentralisation proposals, which she said « are in the interest of all Ukrainian people. » ([Read more - Announcement of the visit](#))

United Kingdom

A. Execution of the judgments of the European Court of Human Rights

CASE	DATE	RESOLUTION	CONCLUSION
Hill (No. 22853/09)	7 April 2015	CM/ResDH(2015)190	Examination closed
M.M. (No. 24029/07)	29 April 2013	CM/ResDH(2015)221	Examination closed

B. Resolutions, signatures and ratifications

[No work deemed relevant for NHRs during the period under observation]

C. Other information

■ GRETA: Second evaluation visit to the UK (04.11.2015)

A delegation of the GRETA carried out a visit to the United Kingdom from 23 to 30 October 2015. The visit provided an opportunity to assess progress in the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings since the first evaluation by GRETA in 2012 ([Read more](#) - [Read the report](#)).

■ ECRI: Preparation of a report on the UK (10.11.2015)

A delegation of the ECRI visited the United Kingdom from 2 to 6 November 2015 as the first step in the preparation of a monitoring report. During its visit, ECRI's delegation gathered information on legislation, hate speech, violence, immigration and integration policies, as well as LGBT issues ([Read more](#)).